UNITED
NATIONS

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Economic and Social
Council

Distr.
LIMITED

E/CN.4/Sub.2/1997/L.4
14 August 1997

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-ninth session
Agenda item 11

REVIEW OF FURTHER DEVELOPMENTS IN FIELDS WITH WHICH
THE SUB-COMMISSION HAS BEEN OR MAY BE CONCERNED

Ms. Attah, Mr. Bossuyt, Mr. Boutkevitch, Mrs. Daes, Mr. Eide,
Mr. El-Hajje, Mr. Fix Zamudio, Mrs. Forero Ucros, Ms. Gwanmesia,
Mr. Hatano, Mr. Khalil, Mr. Maxim, Mr. Mehedi, Ms. Palley,
Ms. Warzazi, Mr. Weissbrodt and Mr. Yimer: draft resolution

1997/... Injurious effects of anti-personnel landmines

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Taking into account that anti-personnel landmines are a major instrument of grave violations of human rights, in particular the right to life,

Recalling its resolutions 1995/24 of 24 August 1995 and 1996/15 of 23 August 1996, in which it declared itself in favour of a total ban on the production, marketing and use of anti-personnel landmines,

Stressing the urgency for the Sub-Commission to follow up this issue in order to guarantee the full respect and the implementation of all relevant conventions, protocols and resolutions,

Welcoming the initiative of the Organization of American States, which in June 1996 called for the establishment of an anti-personnel mine-free zone in the Americas,

Taking note with satisfaction that the Council of Ministers of the Organization of African Unity, in February 1996, urged subregional organizations on the continent to undertake the initiatives for the prohibition of anti-personnel landmines in support of the commitment of the Organization of African Unity to a total ban on landmines,

Taking note with satisfaction also of the appeal launched by the European Parliament on 13 May 1996 to all member States to ban unilaterally the production of anti-personnel landmines and to destroy existing stocks,

Welcoming the decision of the international conference held in Ottawa from 3 to 5 October 1996, which brought together more than 40 States, to support a global ban on anti-personnel landmines and to consider short- and medium-term measures to achieve this end,

Welcoming also the decision to move towards a ban on landmines, taken at the international conference held in Brussels from 24 to 27 June 1997, at which participants signed a declaration and began negotiations on a treaty,

Welcoming further the future international conferences to be held in Ottawa from 2 to 4 December 1997 and in Oslo from 1 to 19 December 1997, at which future parties to the treaty will finalize negotiations,

Regretting the inadequate result of the Review Conference of States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects held in Geneva in May 1996 as regards the distinction made between "intelligent" and "dumb" mines and the nine-year period given to States to start producing only supposedly "intelligent" mines,

Gravely concerned at the constant violation of the rights to life and to security of person, particularly of vulnerable groups of civilians such as peasants, indigenous peoples and children, caused by the use of anti-personnel landmines,

Bearing in mind that landmines cause death, maiming and psychological damage and have economic and environmental effects,

Expressing the hope that United Nations action in favour of mine clearance will in the near future result in the total and final elimination of the scourge of unexploded landmines,

Regretting that funds are lacking to improve mine-clearance techniques and step up rehabilitation programmes for the victims of anti-personnel landmines,

1. Reaffirms its support for a total ban on the production, stockpiling, transfer and use of anti-personnel landmines, as a means to protect the right to life;

2. Urges States that have not yet done so to sign and ratify the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects and all the Protocols thereto, including the Protocol II on Prohibitions and Restrictions on the Use of Mines, Booby-Traps and Other Devices as Amended on 3 May 1996;

3. Urges all States to modify, where necessary, their legislation in order to prohibit the production, stockpiling, transfer and use of anti-personnel landmines in and from their territories, and to work towards an international ban on landmines;

4. Considers the date for the next Review Conference, scheduled for 2001, to be too far away in view of the existing situation with respect to this matter, which requires an urgent solution;

5. Reiterates its request to Governments and the international community to pursue a policy of information, prevention, rehabilitation and reintegration for the victims of anti-personnel landmines, particularly children, and to take the economic and social measures considered necessary for that purpose;

6. Again encourages Governments, organizations and individuals that can do so to respond favourably to the request for voluntary contributions to the United Nations mine-clearance programme, if possible on a regular basis;

7. Requests the Secretary-General to transmit to all Governments the Sub-Commission's appeal for voluntary contributions to the mine-clearance programme and to the Voluntary Trust Fund for Assistance in Mine Clearance established in November 1994;

8. Decides to consider this question at its fiftieth session under the same agenda item in order to ensure the necessary follow-up within the framework of the full enjoyment of human rights and the strengthening of international humanitarian law.

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